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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/954,964	09/19/2001	Kazuo Shiota	2091-0245P	9017

2292 7590 07/30/2002

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[REDACTED]  
EXAMINER

FELTEN, DANIEL S

ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 07/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/954,964

**Applicant(s)**

SHIOTA ET AL.

**Examiner**

Daniel S Felten

**Art Unit**

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on 19 September 2001.
- 2a) This action is **FINAL**.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-48 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. 08/970,427.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.

- 4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_  
5) Notice of Informal Patent Application (PTO-152)  
6) Other: \_\_\_\_\_

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## DETAILED ACTION

1  
2        ***Claim Rejections - 35 USC § 103***

3        1.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all  
4      obviousness rejections set forth in this Office action:

5                (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in  
6      section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are  
7      such that the subject matter as a whole would have been obvious at the time the invention was made to a person  
8      having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the  
9      manner in which the invention was made.

10  
11        2.      Claims 1-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enomoto et  
12      al (hereinafter “Enomoto”, US 5,974,401).

13                Enomoto discloses a network photograph service system (see fig. 1, *digital print ordering*  
14      *system*) having at least one laboratory server 12 (photofinisher/photo-lab) that is installed in one  
15      of a plurality of laboratories (see fig. 1, col. 5, ll. 57-65), picture printers 15-17 (see fig. 1, *digital*  
16      *printers* 15, 16, col. 3, ll. 13-40), communicating via a network 23, (see fig. 1); and a central  
17      server 13 (workstation) that is connected to the laboratory (12 or 24),  
18      wherein a plurality of templates are registered in the central server 13, and wherein the  
19      central server includes a function making templates accessible on the network (see col. 5, ll. 66 to  
20      col. 6, ll. 42, particularly col. 6, ll. 10-18).

1           Encomoto fails to disclose the storage of high resolution image data of the template  
2           wherein the central server stores the template as low resolution image data having a lower  
3           amount of data having a lower amount of data than the data amount of high resolution image data  
4           stored in the laboratory server. However, since Encomoto discloses the fact that the image data is  
5           compressed (see col. 6, ll. 32-43), it would have been obvious for an artisan of ordinary skill in  
6           the art to store the template as low resolution image data because an artisan at the time of the  
7           invention was made would recognize the advantage of having the image data compressed to  
8           provide more memory space within the server. Thus such a modification would have been an  
9           obvious expedient within the ordinary skill in the art.

10

11           *Conclusion*

12

13       3.       A list of relevant prior art appears below not relied upon in this Office Action:

14       **US Patents:**

15       Shiota (US 6,169,596 B1) discloses a photo finishing system  
16       Nomura et al (US 5,327, 526) discloses a print job control system  
17       Goenner (US 5,029,312) discloses an automatic portraiture printer control system  
18       Yamasaki (US 5,477,353) discloses a photographic image processing system having laboratory  
19       unit for processing film  
20       Moghadam et al (US 5,799,219) discloses a system and method for remote image communication  
21       and processing using data recorded on photographic film

22       **Foreign Patents:**

1      Shiota (JP 10-161248) discloses a photofinishing system  
2      4. Any inquiry concerning this communication or earlier communications from the examiner  
3      should be directed to **Daniel S. Felten** whose telephone number is (703) 305-0724. The  
4      examiner can normally be reached between the hours of 7:00AM to 5:30PM Monday-Thursday.  
5      Any inquiry of a general nature relating to the status of this application or its proceedings should  
6      be directed to the Customer Service Office (703) 306-5631, or the examiner's supervisor  
7      **Vincent Millin** whose telephone number is (703) 308-1065.

8  
9      5. Response to this action should be mailed to:

10  
11      Commissioner of Patents and Trademarks

12      Washington, D.C. 20231

13  
14      for formal communications intended for entry, or (703) 305-0040, for informal or draft  
15      communications, please label "Proposed" or "Draft".

16      Communications via Internet e-mail regarding this application, other than those under 35  
17      U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be  
18      addressed to [\[daniel.felten@uspto.gov\]](mailto:daniel.felten@uspto.gov).

19  
20      All Internet e-mail communications will be made of record in the application file. PTO  
21      employees do not engage in Internet communications where there exists a possibility that  
22      sensitive information could be identified or exchanged unless the record includes a properly

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**Applicant(s): (705/)**

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**Representative: ( )**

1 signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly  
2 set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and  
3 Trademark on February 25, 1997 at 1 195 OG 89.

4   
5 DSF

6 July 24, 2002

7



VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600